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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,439	09/08/2003	Larry White	SONY-26600	4739
Jonathan O. Owens 7590 HAVERSTOCK & OWENS LLP 162 North Wolfe Road Sunnyvale, CA 94086 04/24/2008				
EXAMINER				
PARK, JEONG S				
ART UNIT		PAPER NUMBER		
2154				
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04/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/658,439

Applicant(s)

WHITE ET AL.

Examiner

JEONG S. PARK

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 1/19/2008

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/14/2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-11, 13-17, 19-23, 25-27, 29-34 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(U.S. Pub. No. US 2002/0194309 A1).

Regarding claims 1, 2, 8, 9, and 15, Carter discloses as follows:

A media server (master digital multimedia device, reference character 112 in figure 1, see, e.g., page 3, paragraph [0027], lines 4-10) comprising;

A database to store content data (multimedia database, reference character 106 in figure 1, see, e.g., page 3, paragraph [0028]);

A synchronization application (control unit, reference character 314 in figure 3) to perform content data synchronization with an external device (digital multimedia device via the control unit synchronizes a user's files, connected to the digital multimedia device, automatically from a multimedia database, see, e.g., page 3, paragraph [0031], lines 1-8);

A content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database, wherein the content directory service is provided by the multimedia database (106 in figure 1) and control unit (314 in figure 3) in the digital multimedia device (see, e.g., page 3, paragraph [0028] and paragraph [0030], lines 16-21);

The content database is capable of communication with other network devices to deliver the data stored in the database to a digital multimedia device (104 in figure 1) (see, e.g., page 3, paragraph [0028], lines 9-13);

The digital multimedia device (104 in figure 1) allows the user via the control unit (314 in figure 3) to request and download new recorded data or program the digital multimedia device to synchronize and update the user's files automatically from the multimedia database (106 in figure 1) and the user selects the desired multimedia works to be synchronized (the multimedia database inherently includes the content directory service to provide for the user to select the desired multimedia works, see, e.g., page 3, paragraph [0031], lines 11-15) and downloaded for storage on the digital multimedia

device from the music multimedia database (the selected data is downloaded from the music multimedia database into the data storage memory unit of the digital multimedia device, see, e.g., page 3, paragraph [0031], lines 15-17);

Therefore, Carter teaches the content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database;

An interface layer coupled to communicate with the synchronization application and the content directory service to discover new content data (queries the master multimedia device to determine if content downloads or update are available, see, e.g., page 4, paragraph [0032], lines 8-17) and provide update information to the content directory service or the synchronization application regarding new content data received by the database from the external device during content data synchronization, wherein the control unit (314 in figure 3) works as a combined system of the synchronization application and the interface layer in order to provide update information from the external multimedia database device to the digital multimedia device (see, e.g., page 3, paragraph [0031], lines 1-8);

The user selects the desired multimedia works to be synchronized and downloaded for storage on the digital multimedia device from the music multimedia database (the multimedia database inherently includes the content directory service to provide for the user to select the desired multimedia works, see, e.g., page 3, paragraph [0031], lines 11-15);

A synchronization application (control unit, reference character 314 in figure 3) to perform content data synchronization with an external device (digital multimedia device via the control unit synchronizes a user's files, connected to the digital multimedia device, automatically from a multimedia database, see, e.g., page 3, paragraph [0031], lines 1-8);

Communications between the content directory service and the synchronization application (see, e.g., page 3, paragraph [0031], lines 11-17 and steps 402 and 404 in figure 4); and

The interface layer is interpreted as a functional layer to provide interface between the content directory service and the synchronization application. The digital multimedia device (300 in figure 3 and 104 in figure 1) has all necessary components such as processor (302 in figure 3), communication unit (306 in figure 3), audio/video out (308 in figure 3), control unit (314 in figure 3) and memory unit (312 in figure 3) to provide the interface layer functions (see, e.g., page 3, paragraph [0030]).

The examiner interpreted the first update information as updating from the external devices to the database and the second update information as updating from other than the external devices to the database then later synchronized to the external devices.

Carter discloses several synchronization directions, from a database to multimedia devices (see, e.g., page 3, paragraph [0031], from the master multimedia devices to subordinate multimedia device (see, e.g., page 4, paragraph [0032] and from

subordinate multimedia device to master multimedia device (see, e.g., page 4, paragraph [0032]).

Carter does not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 3, 10, 16, and 22, Carter discloses that the external device or the network device is a second media server (the digital multimedia player, 104 in figure 1, automatically performs the synchronization and download function between master and subordinate digital multimedia devices which means the digital multimedia player works exactly same as the master digital multimedia player, see, e.g., page 4, paragraph [0032], lines 1-5).

Regarding claims 4, 11, 17, and 23, Carter discloses that the external device or the network device includes an Internet service (network system connects all external devices is the Internet representing a worldwide collection of networks and gateways that use the TCP/IP suite of protocols to communicate with one another, see, e.g., page 3, paragraph [0027], lines 16-19).

Regarding claims 6, 7, 13, 14, 19, 20, 25, 26, 29, 30, 36, and 37, Carter discloses that the content data includes media files such as audio, video, graphic, and text data (see, e.g., page 4, paragraph [0033], lines 14-18).

Regarding claim 21, Carter discloses as follows:

A first media server (master digital multimedia device, reference character 112 in figure 1, see, e.g., page 3, paragraph [0027], lines 4-10) coupled to the network device (same as the external device as explained above) comprising;

A database to store content data (multimedia database, reference character 106 in figure 1, see, e.g., page 3, paragraph [0028]);

A synchronization application (control unit, reference character 314 in figure 3) to perform content data synchronization with an external device (digital multimedia device via the control unit synchronizes a user's files, connected to the digital multimedia device, automatically from a multimedia database, see. e.g., page 3, paragraph [0031], lines 1-8);

A content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database, wherein the content directory service is provided by the multimedia database (106 in figure 1) and control unit (314 in figure 3) in the digital multimedia device (see, e.g., page 3, paragraph [0028] and paragraph [0030], lines 16-21); and

An interface layer coupled to communicate with the synchronization application and the content directory service to discover new content data received by the database (queries the master multimedia device to determine if content downloads or update are

available, see, e.g., page 4, paragraph [0032], lines 8-17) and provide update information to the content directory service or the synchronization application regarding new content data received by the database from the external device during content data synchronization, wherein the control unit (314 in figure 3) works as a combined system of the synchronization application and the interface layer in order to provide update information from the external multimedia database device to the digital multimedia device (see, e.g., page 3, paragraph [0031], lines 1-8).

Carter does not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 27 and 31, Carter discloses as follows:

A method of synchronizing data between two network devices (see, e.g., paragraph [0016], lines 1-3), the method comprising:

Sending first update information to a content directory service (visual display means) from an interface layer (control unit) regarding a first new content data received by a first media device (data storage memory unit of the digital multimedia device) from a second media device (music multimedia database) during content data

synchronization performed by a synchronization application (see, e.g., page 3, paragraph [0030] and paragraph [0031] and figure 3);

Sending second update information to the synchronization application (processor, 302 in figure 3) from the interface layer (control unit) regarding a second new content added to the first media device (data storage memory unit, 312 in figure 3, of the digital multimedia device), wherein the second new content data is synchronized with the second media device (music multimedia database) during a next content data synchronization (see, e.g., page 3, paragraph [0030] and paragraph [0031] and figure 3); and

Sending the first update information to the content directory service and sending the second update information to the synchronization application are performed automatically (see, e.g., page 4, paragraph [0032], lines 1-5).

Carter does not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 32-34 and 38, Carter discloses as follows:

A method or an apparatus of synchronizing data between two network devices (see, e.g., page 2, paragraph [0016], lines 1-3), the method comprising:

Performing data synchronization between a first media server and a second media server (see, e.g., page 3, paragraph [0031], lines 2-8);

Receiving content data related to the data synchronization on the first media server (data storage memory unit, 312 in figure 3, of the digital multimedia device, see, e.g., page 3, paragraph [0031], lines 12-18);

Obtaining update information related to the received content data from a synchronization application on the first media server (see, e.g., page 3, paragraph [0031], lines 21-24);

Providing the update information to a content directory service (visual display means) of the first media server (see, e.g., page 3, paragraph [0030], lines 16-21); and

Updating the content directory service according to the update information (see, e.g., page 3, paragraph [0031], lines 21-24 and paragraph [0030], lines 16-21).

Carter does not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 39 and 40, Carter discloses all the limitations of claims as presented above in claims 1 and 8.

Carter further discloses automatically providing update information (the digital multimedia device (equivalent to applicant's media server) allows the user, via the control unit (equivalent to applicant's interface layer) to request and download new recorded data (equivalent to applicant's new content data) into the digital multimedia device or program the digital multimedia device to synchronize and update the user's files automatically from a multimedia database (equivalent to applicant's database), see, e.g., page 4, paragraph [0031]).

5. Claims 5, 12, 18, 24, 28, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(U.S. Pub. No. US 2002/0194309 A1) in view of Gu et al. (hereinafter Gu)(U.S. Patent No. 6,892,230 B1).

Regarding claims 5, 12, 18, 24, 28, and 35, Carter discloses all the claim limitations of claims 1, 8, 15, 21, 27, and 32 as explained above except for disclosure of the media server is a Universal Plug and Play enabled device and the content directory service is a Universal Plug and Play content directory service.

The general concept of enabling a Universal Plug and Play featured device and service is well known within the art as illustrated by Gu which discloses a Universal Plug and Play (see, e.g., col. 5, lines 20-29).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Carter to include using a Universal Plug and Play enabled device and service as taught by Gu in order to avoid user installation experience, persistent relationship configurations and software driver download whenever connecting multiple network devices together.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2154

April 21, 2008

/Joseph E. Avellino/
Primary Examiner, Art Unit 2146

